

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**WILBERT L. JOHNSON**

**PETITIONER**

**v.**

**CASE NO. 5:18-CV-00290 BSM**

**WENDY KELLEY, Director,  
Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

United States Magistrate Judge Beth Deere's recommended disposition [Doc. No. 9] is adopted and petitioner Wilbert L. Johnson's petition for writ of habeas corpus is dismissed without prejudice. Because Johnson has not make a substantial showing of the denial of a constitutional right, no certificate of appealability will issue. *See* 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 483–84 (2000).

IT IS SO ORDERED this 28th day of January 2019.

  
UNITED STATES DISTRICT JUDGE